



15 MAR 2005

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In re Application of
ANG, et al.
Application No.: 09/936,627
PCT No.: PCT/GB00/00710
Int. Filing Date: 29 February 2000
Priority Date: 15 March 1999
Atty. Docket No.: 1085-031/PWH
For: EDUCATION TOOL ENTERTAINMENT
SYSTEM AND SEARCH TOOL

DECISION ON REQUEST
FOR CORRECTED FILING
RECEIPT

This is a decision on applicant's "Petition to Correct Filing Date to 37 CFR § 1.10" filed in the United States Patent and Trademark Office (USPTO) on 02 December 2004.

BACKGROUND

On 13 September 2001, applicant filed a request to enter into the national stage under 35 U.S.C. 371 along with the appropriate basic national filing fee. An executed declaration was not filed. On 01 November 2001, a Notification of Missing Requirements was mailed to applicant indicating that an executed oath or declaration of the inventors was required.

On 19 February 2002, applicant filed their response to the Notification of Missing Requirements. On 14 March 2002, a Notification of Acceptance (Form PCT/DO/EO/903) was issued identifying the 35 U.S.C.102(e) and 371(c) date as 19 February 2002. Subsequently, an Official Filing Receipt was issued indicating a "FILING DATE" of 19 February 2002.

On 02 December 2002, applicant filed a "Petition to Correct Filing Date to 37 CFR § 1.10." Applicant urges that the Filing Receipt be corrected to indicate a filing date of 13 September 2001, rather than 19 February 2002.

DISCUSSION

The actual filing date of the present application is considered to be the international filing date, 29 February 2000. The date in the filing date portion on the filing receipt of a national stage application is the date upon which the requirements set forth in 35 U.S.C. 371(c) for entry into the national stage were completed. (See MPEP §1895.01) A review of the application file reveals

that the declaration was filed with the USPTO on 19 February 2002, the date which the requirements set forth in 35 U.S.C. 371(c) for entry into the national stage were completed. Therefore, the correction of the "FILING DATE" on the filing receipt to indicate a date of 13 September 2001 is not proper since applicant completed the requirements set forth in 35 U.S.C. 371(c) on 19 February 2002. (Note MPEP section 1893.03(b)).

CONCLUSION

Applicant's request for the issuance of a corrected filing receipt indicating a "Filing Date" of 13 September 2001, is **DISMISSED**.

The application will be forwarded to United States Designated/Elected Office for processing in accordance with this decision. Thereafter, it will be returned to Art Unit 2635 for further prosecution.



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